

# **PROPOSAL BEFORE THE LABOR MANAGEMENT ADVISORY COUNCIL ON WORKERS' COMPENSATION**

January 8, 2008

## **PROPOSAL FOR EXAMINER/ADJUSTER LICENSURE AND CONTINUING EDUCATION OF WORKERS' COMPENSATION CLAIMS EXAMINERS**

Presented by Michael J. Marsh  
Midland Claims Service, Inc.

### **KEY ELEMENTS OF THE PROPOSAL:**

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#### **Requires legislation to implement**

#### **Creates mandatory 2 yr., renewable, licensure of workers' compensation claims examiners**

Requires certain level of experience, grandfather status (2 yrs workers' comp, with 1 yr with MT claims), or passing a test (\$100 or less fee to test)

Cost to renew will be \$100 for work comp license only and \$200 for both work comp and adjuster license

#### **Requires mandatory continuing education to maintain license status**

Requires 24 hours of approved, accredited course hours every two years

2 hrs must be workers' compensation legislative changes/additions

#### **Administered by Department of Labor & Industry – Employment Relations Division (ERD)**

Licensing Function

Continuing Education Function

Reciprocity agreements with other states' licensing requirements

#### **Provides equal status with the Montana Adjuster License (administered by Insurance Commissioner)**

Creates statutory reciprocity with Adjuster License for continuing education credits

Allows holding concurrent licenses for multi-line adjusters

Reciprocity fulfills either license's continuing education requirements

#### **Creates a licensing adoption committee**

1 member – Plan Three – Montana State Fund

2 members – Plan Two – One each from separate insurance companies

2 members – Plan One – One each from separate self-insured organizations

2 members – One each from separate Third Party Claims Administrators (TPA)

1 member – Current member of the LMAC

1 Chairperson – Staff member of ERD

Works with LMAC to assist with legislation and implementation

Along with ERD, approves, audits, and oversees work comp CE credits

Insurers may self administer CE credits upon pre-approved notice of ERD

Along with ERD, committee may audit CE credits